

CIVIL CASE NO. 3:08cv367

Defendant.

ORDER

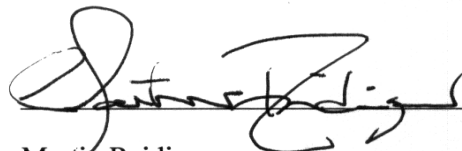
On November 10, 2008, the Magistrate Judge filed a Memorandum and Recommendation [Doc. 28] in which he recommended denying the motion to dismiss. The parties were advised that any objections to the Magistrate Judge's conclusions and recommendations were to be filed in writing within ten days of service of the Recommendation and that failure to

file objections to the Memorandum and Recommendation would preclude the parties from raising any objection on appeal. [Doc. 28 at 11]. The period within which to file objections expired on December 1, 2008 and no written objections to the Memorandum and Recommendation have been filed.

The Court concludes that the Magistrate Judge's recommendation is supported by the record and the law. Accordingly, the Court hereby accepts the Magistrate Judge's Recommendation.

IT IS, THEREFORE, ORDERED that Defendant Coca-Cola's Motion to Dismiss Plaintiff's Bad Faith Claim [Doc. 18] is hereby **DENIED**.

Signed: December 2, 2008


Martin Reidinger
United States District Judge

